IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.10392 of 2000

TUESDAY, THE TWENTY SIXTH DAY OF JUNE TWO THOUSAND AND SEVEN

Between:

Pujari Pothanna, S/o. P. Vadasalappa,
Aged about 40 years, Bucherla Village,
Roddam Mandalam, Anantapur District.

… Petitioner

And

The Mandal Revenue Officer, Roddam
Mandal, Anantapur District, and another.

… Respondents

Order:

This writ petition has been filed seeking Mandamus to declare the action of the respondents in taking steps to evict the petitioner from the land to an extent of Ac.4.29 cents in S.No.234-2D of Bucherla Village, Roddam Mandal, Anantapur District as illegal and arbitrary.

2. Petitioner, a priest of the temple by name Sri Potula Raju Devata

Devasthanam, claims to be in possession of the aforesaid land. Originally, land to an extent of Ac.9.85 cents was owned by the temple. Out of the said land, an extent of Ac.5.50 cents was acquired for providing house sites to weaker sections. Petitioner claims to be in possession of the remaining extent of land. He alleges that respondents are proposing to evict him from the said land.

3. Respondents have filed counter affidavit stating that out of the available land, petitioner, along with his community people, occupied Ac.1.50 cents of land and raised huts and buildings and the remaining portion is being used by them for cultivation, without paying any amount towards maintenance of the temple.

4. Though petitioner claims to be in possession of the land in question by virtue of his being an Archaka of the temple, the rights of hereditary Archakas have already been abolished. As much as the land in question undisputedly belongs to the second respondent, petitioner does not have any right to continue in possession of the said land. Hence, no direction as sought for can be given.

5. The writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

_____

JUSTICE R. SUBHASH REDDY.

June 26, 2007
MRR